

Ferguson, Scott@Waterboards

From: Ferguson, Scott@Waterboards
Sent: Friday, August 23, 2013 5:07 PM
To: Kouyoumdjian, Patty@Waterboards; Smith, Doug@Waterboards; Booth, Richard@Waterboards; Niemeyer, Kim@Waterboards
Cc: Scott R. Lane (Lane@lanemcgowan.com); Bill Moller (mollabolla@yahoo.com); Bill Moller (mollacorp@aol.com); Bruce@sanberg.com; Dales@sanberg.com; Zimmerman, Jan@Waterboards; Copeland, Patrice@Waterboards; Plaziak, Mike@Waterboards; Scorallo, Lisa@Waterboards; Curtis, Chuck@Waterboards; Kemper, Lauri@Waterboards; Benedict, AnnaKathryn@Waterboards; Joanna Gibson (Joanna.Gibson@wildlife.ca.gov); Shannon.L.Pankratz@usace.army.mil
Subject: Arimol-Update and Recommendations
Attachments: Arimol - CAO R6V-2013-0057 (7-25-2013).docx; Arimol Group, Inc. and Meadowbrook Cedar, Inc. Properties Wetlands Delineation Work Scheduled for Monday, August 26, 2012
Importance: High

Advisory Team Members,

I want to share with you that Arimol Group, Inc. and Meadowbrook Cedar, Inc. (Dischargers) and their consultants are continuing to work with the Water Board's Prosecution Team towards restoring damaged surface waters near Lake Arrowhead. The Dischargers' consultants are responding to Prosecution Team comments and finalizing the Surface Water Delineation Work Plan that is described in the proposed Cleanup and Abatement Order you are currently reviewing.

The Dischargers' consultants plan to begin implementing the Surface Water Delineation Work Plan beginning this Monday, August 26, 2013. The Dischargers are on schedule with the revised schedule that is included in the attached version of the Cleanup and Abatement Order. It appears that the proposed Cleanup and Abatement Order's first two orders/directives will be completed when the Order is signed and issued. The Prosecution Team is optimistic that the initial restoration activities will be fully implemented by mid-November 2013. As you requested in an earlier email, the parties are continuing to make progress under the proposed Cleanup and Abatement Order.

I want to point out that the attached version of the Cleanup and Abatement Order is being provided to address a few typographical errors in the proposed Cleanup and Abatement Order and to extend each of the compliance dates by one week. The Prosecution Team is recommending the time extension, in part, to reflect the pending signing date for the Order. It is likely that the attached version will need additional revisions to reflect the progress that has been made since releasing the proposed Cleanup and Abatement Order for public review and having the Cleanup and Abatement Order signed and issued.

I also want to let you know that the Prosecution Team continues to support the Advisory Team signing the Cleanup and Abatement Order with the current mitigation requirements, even though the Dischargers have stated in their latest comment letter that they intend to reserve their rights to challenge the mitigation requirements by filing a petition. The Dischargers also state they intend to request that the petition be held in abeyance to allow the Prosecution Team and Dischargers to continue discussions regarding the mitigation requirements, especially as new information becomes available through the Surface Water Delineation Report, and further evaluation of mitigation opportunities. All parties understand that they can propose amendments to the Cleanup and Abatement Order following its signing, as new information supporting an amendment becomes available.

The Prosecution Team's primary goal is to see the damaged surface waters restored and the temporal and potential permanent surface water impacts mitigated. The Prosecution Team is optimistic that all parties will be able to work through any differences that may develop regarding the mitigation requirements, and that issuing the Cleanup and Abatement Order with its current set of orders/directives is the most effective approach to accomplishing these goals.

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